

ARTICLE 8.00

SIGNS

Section 8.01 -- PURPOSE

The purpose of these sign regulations is to establish requirements for signs and other displays that are needed for identification or advertising, subject to the following objectives:

1. **Safety.** The requirements with regard to placement, installation, maintenance, size and location of signs are intended to minimize distractions to motorists, maintain unobstructed vision for motorists, protect pedestrians, and otherwise minimize any threat to public health or safety.
2. **Aesthetics.** Signs should enhance the aesthetic appeal of the City. Thus, these regulations are intended to: 1) regulate signs that are out-of-scale with surrounding buildings and structures, 2) prevent an excessive accumulation of signs, and 3) encourage signs that enhance the appearance and value of the business districts.
3. **Equal protection and fairness.** These regulations are designed to be fair to each property owner by establishing uniform standards that provide adequate exposure to the public for all property owners.
4. **Land use planning objectives.** The placement and design of signs should further the land use planning objectives of the City, and protect neighborhood character and the value of surrounding properties.

Section 8.02 -- SCOPE OF REQUIREMENTS

No sign may be erected, relocated, enlarged, structurally changed, painted, or altered in the City unless in conformance with the standards and procedures set forth in this Article, including the issuance of a permit except as otherwise provided herein.

Section 8.03 -- ENFORCEMENT

A. Plans, Specifications, and Permits

1. Permits

It shall be unlawful for any person to erect, alter, relocate, enlarge, or structurally change a sign or other advertising structure, unless specifically exempted by these regulations, without first obtaining a permit in accordance with the provisions set forth herein. A permit shall require payment of a fee, as established in Section 21.29 of the Code of Ordinances of the City of Midland.

2. Applications

Application for a sign permit shall be made upon forms provided by the Building Department. The following information shall be required:

- a. Name, address, and telephone number of the applicant.
- b. Location of the building, structure, or lot on which the sign is to be attached or erected.
- c. Position of the sign in relation to nearby buildings, structures, and property lines.

- d. Plans and specifications showing the dimensions, materials, method of construction, and attachment to the building or in the ground.
- e. Copies of stress sheets and calculations, as required by the Building Code.
- f. Name and address of the person, firm, or corporation owning, erecting, and/or maintaining the sign.
- g. Location and square footage areas of all existing signs on the same premises.
- h. Information concerning required electrical connections.
- i. Insurance policy or bond, as required in this Article.
- j. Written consent of the owner and/or lessee of the premises upon which the sign is to be erected.
- k. Other information required by the Building Official to make the determination that the sign is in compliance with all applicable laws and regulations.

3. Review of Application

a. Planning Commission Review

Sign proposals submitted in conjunction with the proposed construction of a new building or addition to an existing building that requires review by the Planning Commission shall be shown on the site plan.

b. Building Official Review

The Building Official shall review the sign permit application for any proposed sign.

c. Issuance of a Permit

A sign permit shall be approved if the application meets all of the standards of this Article or if a variance has been granted for the sign. Following review and approval of a sign application, the Building Official shall have the authority to issue a sign permit. A sign permit shall become null and void if the work for which the permit was issued has not been completed within a period of sixty (60) days after the date of the permit.

4. Exceptions

A new permit shall not be required for ordinary servicing, sign face replacement, repainting of an existing sign message, cleaning of a sign, or changing of the message on the sign where the sign is designed for such changes (such as lettering on a marquee). Furthermore, a permit shall not be required for certain exempt signs listed in Section 8.05, sub-section A. However, an electrical permit shall be required for all signs that make use of electricity.

B. Inspection and Maintenance

1. Inspection of New Signs

All signs for which a permit has been issued shall be inspected by the Building Official when erected. Approval shall be granted only if the sign has been constructed in compliance with the approved plans and applicable Zoning Ordinance and Building Code standards.

All signs requiring permits under this Ordinance shall have affixed to them an identification tag as provided by the sign contractor. Said identification tag will be affixed by the City to indicate compliance with the provisions of this Article. It shall be the responsibility of the owner of a sign to see that said identification tag is replaced, should it be removed for any reason.

In cases where fastenings or anchorages are to be eventually bricked in or otherwise enclosed, the sign erector shall advise the Building Official when such fastenings are to be installed so that inspection may be completed before enclosure.

2. Inspection of Existing Signs

The Building Official shall have the authority to routinely enter onto property to inspect existing signs.

3. Maintenance

All signs shall be maintained at all times in a safe and secure manner. Exposed surfaces shall be cleaned and painted as necessary. Broken and defective parts shall be repaired or replaced.

4. Correction of Violations

- a. If the Building Official finds that any sign is in violation of this ordinance, the official shall notify one or more of the responsible persons to correct the violations by repair, removal or other action, within a timetable established by the official.
- b. The notice provided in Subsection (a) may be accompanied or followed by a written order, sent to the responsible persons, requiring correction of violations by repair, removal or other action within thirty (30) days. Where there is imminent danger to public safety, immediate removal or action may be required.
- c. For purposes of this Section, responsible persons include the owner(s) of the building, structure or premises upon which the sign is located.

C. Removal of Obsolete Signs

Any sign that identifies a business that is no longer in operation, or that identifies an activity or event that has already occurred, or a product that is no longer made, shall be considered abandoned and shall be removed by the owner, agent, or person having use of the building or structure. Upon vacating a commercial or industrial establishment, the proprietor shall be responsible for removal of all signs used in conjunction with the business.

However, where a conforming sign structure and frame are typically reused by a current occupant in a leased or rented building, the building owner shall not be required to remove the sign structure and frame in the interim periods when the building is not occupied, provided that the sign structure and frame are maintained in good condition and the period of time between tenants is six (6) months or less.

D. Nonconforming Signs

No nonconforming sign shall be altered, enlarged or reconstructed, unless the alteration or reconstruction is in compliance with Article 4.00 of the Zoning Ordinance, and the following regulations:

1. Repairs and Maintenance

Normal maintenance shall be permitted, provided that any nonconforming sign that is destroyed by any means to an extent greater than fifty percent (50%) of the sign's pre-catastrophe fair market value, exclusive of the foundation, shall not be reconstructed. Normal maintenance shall include painting of chipped or faded signs; replacement of faded or damaged surface panels; or, repair or replacement of electrical wiring or electrical devices.

2. Nonconforming Changeable Copy Signs

The sign face or message on a nonconforming changeable copy sign or nonconforming bulletin board sign may be changed provided that the change does not create any greater nonconformity.

3. Substitution

No nonconforming sign shall be replaced with another nonconforming sign. However, the panel containing the message may be replaced with a different message without affecting the legal nonconforming status of a sign, provided that the sign structure or frame is not altered. In the case of nonconforming wall signs, a less nonconforming sign, generally meaning a smaller sign, may replace the existing nonconforming wall signs.

E. Appeal to the Zoning Board of Appeals

Any party who has been refused a sign permit for a proposed sign or received a correction or removal order for an existing sign may file an appeal with the Zoning Board of Appeals, in accordance with Article 29.00 of the Zoning Ordinance.

F. Enforcement

Placards, posters, circulars, showbills, handbills, election signs, cards, leaflets or other advertising matter, except as otherwise provided herein, shall not be posted, pasted, nailed, placed, printed, stamped or in any way attached to any fence, wall, post, tree, sidewalk, pavement, platform, pole, tower, curbstone or surface in or upon any public easement, right-of-way or on any public property whatsoever. Nothing herein shall prevent official notices of the City, school districts, County, State or Federal Government from being posted on any public property deemed necessary.

All placards, posters, circulars, showbills, handbills, election signs, cards, leaflets or other advertising matter posted, pasted, nailed, placed, printed, stamped on any right-of-way or public property may be removed and disposed of by City enforcement officials without regard to other provisions of this Ordinance.

Section 8.04 -- GENERAL PROVISIONS**A. Permitted Exempt Signs**

A sign permit shall not be required for the following signs, which shall be permitted subject to applicable provisions herein:

1. Address numbers in compliance with Section 304.3 of the International Property Maintenance Code.
2. Nameplates identifying the occupants of the building, not to exceed two (2) square feet.
3. Public signs, including the authorized signs of a government body or public utility, including traffic signs, legal notices, railroad crossing signs, warnings of a hazard, and similar signs.
4. Flags bearing the official design of a nation, state, municipality, educational institution, or noncommercial organization.
5. Incidental signs, including home occupations complying with this ordinance, provided that total of all such signs shall not exceed two (2) square feet.
6. Portable real estate "open house" signs with an area no greater than three (3) square feet.
7. Real Estate signs, subject to the requirements in Section 8.05.
8. Construction signs, subject to the requirements in Section 8.05.

9. Plaques or signs designating a building as a historic structure, names of public and quasi-public buildings, churches, schools, dates of erection, monumental citations, commemorative tablets, and the like.
10. "No Trespassing," "No Hunting," and "No Dumping" signs, provided that no individual sign is greater than four (4) square feet in area.
11. Signs used to direct vehicular or pedestrian traffic to parking areas, loading areas, or to certain buildings or locations on the site, subject to the following conditions:
 - a. Directional signs shall not contain logos or other forms of advertising.
 - b. Individual directional signs shall not exceed six (6) square feet in area.
 - c. Directional signs may be located in any required setback area, but may not be located in a right-of-way.
 - d. Any sign not visible off the property.
12. Window signs.
13. Changing of advertising copy or message on an approved painted or printed sign or billboard or on a theatre marquee and similar approved signs which are specifically designed for the use of replaceable copy.
14. Painting, repainting, cleaning and other normal maintenance and repair of a sign or sign structure unless a structural change is made.
15. Sandwich signs.

B. Prohibited Signs

The following signs are prohibited in all districts:

1. Any sign not expressly permitted.
2. Signs that incorporate flashing or moving lights or screens capable of displaying moving images that flash or move or otherwise change at intervals of less than six (6) seconds. These signs distract drivers and impact traffic safety.
3. Moving signs, including any sign which has any visible moving parts, visible revolving parts, visible mechanical movement, or other visible movement achieved by electrical, electronic, or mechanical means, including movement caused by normal wind current. These signs distract drivers and impact traffic safety.
4. Obsolete signs.
5. Signs affixed to a parked vehicle or truck trailer which is being used principally for advertising purposes rather than for transportation purposes.
6. Any sign which obstructs free access to or egress from a required door, window, fire escape, driveway or other required exit from a building or premises.
7. Any sign unlawfully installed, erected, enlarged, altered, moved or maintained.
8. Signs on street furniture including, but not limited to, signs on benches and trash receptacles.
9. Off-premise advertising signs.

C. Temporary Signs

Temporary signs shall be permitted as specified in Table 8.1:

TABLE 8.1: TEMPORARY SIGN STANDARDS

Type of Sign	Districts Permitted	Type of Sign Permitted	Maximum Size	Maximum Height	Maximum Number Per Parcel	Permit Required	Required Setback	Permitted Duration [g]
Construction Sign	AG, RB, Office, Commercial, LCMR, Industrial	Ground or Wall	32 sq. ft.	15 ft.	1	No	[a]	From: issuance of Building Permit To: 14 days after occupancy.
	RA-1, RA-2, RA-3, RA-4	Ground or Wall	12 sq. ft.	3.5 ft.				
Real Estate - sale or lease of individual home or residential lot	Residential	Ground	12 sq. ft.	3.5 ft.	1[b]	No	[d]	Remove within 14 days of completion of sale or lease
Real Estate - sale or lease of individual business or vacant lot	Office, Commercial, LCMR, Industrial	Ground or Wall	32 sq. ft.	10 ft.	1[b]	No	[d]	Remove within 14 days of completion of sale or lease
Real Estate - sale or lease of unplatted vacant	All	Ground	32 sq. ft.	10 ft.	1[b]	No	[a]	Remove within 14 days of completion of sale land or lease
Real Estate Development Sign	All	Ground	32 sq. ft.	10 ft.	[c]	No	[a][f]	Remove after 75% of units or lots are built
Grand Opening Sign	Commercial	Ground or Wall	16 sq. ft.	10 ft.	1	Yes	[d]	30 days
Garage Sale Sign	Residential	Ground or Wall	6 sq. ft.	30"	--	No	[d]	4 consecutive days
Community Special Event Sign	All	[e]	[e]	[e]	[e]	Yes	[d]	Duration of the event
Election Sign	All	Ground or Wall	32 sq. ft.	5 ft.	[i]	No	[d]	Remove within 14 days of the election
Banner Signs	CC, RC, LCMR, IA, IB	Plastic or Fabric	32 sq. ft.	15 ft.	1	Yes	[d]	30 days
Real Estate Signs	[h]	Plastic or Fabric	32 sq. ft.	15 ft.	1[j]	No	[d]	[h]
Pennants	[h]	Plastic or Fabric	--	--	--	No	[d]	[h]
Personal Special Occasion Signs	Residential Districts	Per definition in Section 2.03	25 sq. ft.	8 ft.	1	No	[a]	5 consecutive days

Footnotes

- [a] The temporary sign shall be set back from any property or right-of-way line a distance equal to the height of the sign.
- [b] On a corner parcel two (2) signs, one (1) facing each street, shall be permitted.
- [c] Two (2) on-premise signs shall be permitted on private property within the development and shall not be located within five hundred (500) feet of one another.
- [d] The temporary garage sale signs may be located in the area between the curb or road edge and the property line (the out lawn). Signs located in the right of way
 - 1. May not exceed 30" in height above the level of the crown of the road.
 - 2. Each sign must have the owner's name and address on it.
 - 3. Permission from the property owner must be obtained.
 - 4. Signs in the right of way must not obstruct vehicular or pedestrian traffic.
 - 5. Signs may be placed in the right of way from 8:00am Thursday until 8:00am Monday the week of the sale. Signs must be removed by 8:00am Monday.
- [e] Community special event signs may include banners or other devices advertising a public entertainment or event, if specially approved by the City Manager or his authorized representative.
- [f] Real estate development signs shall not be erected within fifty (50) feet of any occupied dwelling unit.
- [g] The Building Official may require a performance bond to assure proper removal of temporary signs upon expiration of the permitted duration.
- [h] Banners and pennants for the purpose of advertising real estate open houses and builders parade of homes are permitted in all districts but shall be limited to periods not to exceed seventy-two (72) consecutive hours, no more than four (4) times per calendar year. Banners and pennants for advertising special promotions and events are permitted in all nonresidential districts but shall be limited to periods not to exceed one hundred and sixty-eight consecutive hours, no more than four (4) times per calendar year.
- [i] Total sign area, in aggregate, shall not exceed 32 square feet for residentially zoned parcels.
- [j] All properties on corner lots may erect two (2) real estate signs.

Section 8.05 -- SIGN DESIGN STANDARDS

A. Illumination

1. General Requirements

Signs shall be illuminated only by steady, stationary, shielded light sources directed solely at the sign, or internal to it.

2. Non-Glare, Shielded Lighting

Use of glaring undiffused lights or bulbs shall be prohibited. Lights shall be shaded so as not to project onto adjoining properties or streets. Signs that incorporate flashing or moving lights, or screens capable of displaying moving images and/or L.E.D. (light emitting diode) sign images shall not be brighter than 500 candelas per square meter during the nighttime hours of 7 p.m. to 7 a.m. The sign must have an automatic dimmer control which produces a distinct illumination change from a higher, daytime illumination level to the designated nighttime level prescribed above.

3. Bare Bulb Illumination

Illumination by bare bulbs or flames is prohibited, except that bare bulbs are permitted on changeable copy signs and theater marquees.

4. Signs Displaying Moving Images

Signs that incorporate flashing or moving lights, or screens capable of displaying moving images that flash or move or otherwise change at regular or irregular intervals (e.g. L.E.D. signs) shall be turned off when the businesses or buildings, that they service or provide advertisement for, are located in, bordering, directly adjacent to, or sharing a common property line with any residential zoning districts when those businesses or buildings are not open for business, or special events or other activities.

B. Location

1. Within a Public Right-of-Way

No sign shall be located within, project into, or overhang a public right-of-way.

2. Setback Requirements from Right-of-Way and Street Property Lines

See table 8.4 for sign setback requirements.

3. Sight Lines for Motorists

Signs shall comply with the requirements for unobstructed motorist visibility in Section 3.09A(6) – Unobstructed Sight Distance.

4. On-Premise Advertising Signs

On-premise advertising signs shall be located on the parcel of the use to which the sign pertains. If a driveway off the premises services the use, an advertising sign for that use may be allowed at the driveway under the following conditions:

- a. If the driveway services more than one (1) use, a single sign advertising all uses serviced by the driveway is allowed.
- b. All provisions of Table 8.2 are met for the use or uses serviced by the driveway.

C. Measurement

1. Sign Area

Sign area shall be computed as follows:

- a. General Requirements. The extreme limits of the writing, representation, emblem or any figure or similar character together with any frame or other material forming an integral part of the display shall be enclosed in a regular geometric figure which would enclose all parts of the sign. The structural supports for a sign, whether they are columns, pylons, or a building or part thereof, shall not be included in the advertising/copy area.
- b. Double-Face Sign. The area of a double-face sign shall be computed using only one (1) face of the sign provided that the two (2) faces are back-to-back, so that only one face is visible at any given time, and at no point are more than three (3) feet apart. If the two faces are of unequal area, the larger face shall be used to determine compliance with sign face area requirements. If the faces are not back-to-back and/or more than three (3) feet apart at any given point, then the area of all sign faces shall be included in determining the area of the sign.
- c. Add-On Signs. The area of any add-on signs shall be computed as part of the sign area.

2. Setback, Height and Distance Measurements

The following guidelines shall be used to determine compliance with setback, height and distance measurements:

- a. The distance between two signs shall be measured along a straight horizontal line that represents the shortest distance between two signs.
- b. The distance between a sign and a parking lot or building shall be measured along a straight horizontal line that represents the shortest distance between the outer edge of the parking lot or building.
- c. The distance between a sign and a building or property line shall be measured along a straight horizontal line that represents the shortest distance between the sign and the building.
- d. Maximum sign height shall be measured from the top of the sign structure to the lowest adjacent grade within ten (10) feet of the sign.

D. Wall, Ground and Roof Signs

All wall, ground and roof signs shall meet the following provisions:

1. **Area**

The aggregate area of the wall, ground and roof signs a use displays may not exceed the maximum area that Table 8.2 allows for in that zoning district.

2. **Wall Sign Projection**

Wall signs may be painted on or attached to or pinned away from the wall but shall not project from the wall by more than twelve (12) inches.

3. **Wall Sign Height**

The top of the wall sign shall not be higher than the lowest point of the roof (e.g. eaves or parapet).

4. **Roof Sign Height**

The top of the roof sign may not be higher than the roofline of the building.

5. **Ground/Monument Sign Height**

Ground and monument sign height shall be determined by Table 8.2.

E. Projecting Signs

All projecting signs shall comply the following provisions

1. **Clearance**

Projecting signs shall clear sidewalks by a least eight (8) feet and may project no more than four (4) feet from a building.

2. **Placement**

Projecting signs shall project from the wall at an angle of ninety (90) degrees.

3. **Height**

The top of a projecting sign may not extend vertically above one and a half (1 ½) stories above the first floor finished grade of the structure.

4. **Undercanopy Signs**

All undercanopy signs shall comply with the provisions in Section 8.07.F.

Table 8.2: ON-PREMISE ADVERTISING SIGN STANDARDS

Zoning District	Wall and Roof signs				Projecting signs			Ground Signs			
	Area	Height	#	Notes	Area	#	Notes	Area	Height	#	Notes
AG, RA – Permitted Nonresidential Uses	12 sq. ft.	See Section 8.05.D	1	a,b,c	Not Allowed			12 sq. ft.	5 ft.	1	a,b,c,m
RB	12 sq. ft.		1	a,b,c	Not Allowed			18 sq. ft.	5 ft.	1	a,b,c,m
RD	40 sq. ft.		1	b,c	Not Allowed			40 sq. ft.	5 ft.	1	a,b,c,j,m
OS – Permitted Nonresidential Uses	12 sq. ft.			a,b,c,d	Not Allowed			12 sq. ft.	5 ft.	1	a,i,j,k,m
Community	50 sq. ft.				Not Allowed			32 sq. ft.	15 ft.	1	a,j
NC	40 sq. ft.			e,f,g	8 sq. ft.	1		40 sq. ft.	8 ft.	1	i,j,m
CC, RC	150 sq. ft.			e,f,g	Not Allowed			100 sq. ft.	20 ft.	1	i,j,k,l
D	40 sq. ft.			d,e,f,g	8 sq. ft.	1		40 sq. ft.	8 ft.	1	l,m
D-O and DNO	40 sq. ft.			d,e,f,g	8 sq. ft.	1		12 sq. ft.	5 ft.	1	l,m,n
C	100 sq. ft.			d,e,f,g	8 sq. ft.	1		40 sq. ft.	8 ft.	1	l,m
IA, IB	300 sq. ft.			e,f,g,h	Not Allowed			150 sq. ft.	25 ft.	1	i,j,k
LCMR	150 sq. ft.			e,f,g	Not Allowed			100 sq. ft.	18 ft.	1	i,j,k

Wall, Roof, and Ground Sign Footnotes:

- [a] Places of worship and other religious institutions shall be permitted one (1) additional on-premise advertising sign for each school, parsonage, or other related facility.
- [b] Public and quasi public buildings and facilities, schools, and places of worship, when combining the name with a sign as permitted in Section 8.04.A.9, may have a total name with sign area of 32 sq. ft.
- [c] One (1) residential entranceway or identification sign, either a wall or ground sign, shall be permitted at each entrance to a subdivision, apartment complex or other residential development. The residential entranceway or identification sign shall comply with the provisions of Section 8.06.D.

- [d] Where a site has no ground sign on a site in the D-O or DNO district, a sign may run the length of an awning up to the maximum wall sign area allowed in table 8.2.

Wall and Roof Sign Footnotes:

- [e] Where multiple business, office or industrial establishments are located in a single building with common, exterior entrances, the total area of all signs on the parcel may be increased by four (4) square feet for each additional establishment, up to a maximum of thirty-two (32) additional square feet.
- [f] Where multiple business, office or industrial establishments are located in a single building and each has its own exterior entrance, each establishment will be allowed additional wall signage so long as the total wall signage for the entire building does not exceed the Zoning Ordinance requirements. In addition to the maximum sign area permitted by Table 8.2, sign area may be increased based on the street frontage measured at the right of way line on a one to one ratio, up to a maximum of 150 square feet.
- [g] For buildings on corner or through lots, the maximum total area of all wall signs may be increased by fifty percent (50%) where the signage is divided between the two (2) street frontages. The larger of the two (2) signs shall not exceed the maximum sign area permitted by Table 8.2.

Ground Sign Footnotes:

- [h] In the IA and IB districts, the size of all wall signs on each wall where signage is permitted, may be increased if
1. Any point of the principle structure on the wall on which the sign size will be calculated, is more than 200' from the property line abutting a public road, measured from a 90 degree angle at the road right of way. The structure must be located on the property abutting the public road from which the measurement is being taken.
 2. There is at least 200' of frontage on the public road identified in item 1. of this provision.
 3. If items 1. and 2. are met,
 - a. The total signage on a wall facing a public road may be increased by 1 square foot for each foot greater than 200' lineal feet, not to exceed 600 square feet on any one wall.
 - b. Multiple signs may be placed on one wall provided the total square footage on any one wall does not exceed 600 square feet.
 - c. If all walls of the principle structure are less than 200' from the road, the sign may not exceed 300 square feet of total signage on the parcel, per Table 8.2.
 - d. If the property owner chooses not to place any signage on a wall facing a public right of way on a qualifying structure, wall signage, at the size it would have been had it faced the road, may be used on another wall without public road frontage.
 - e. Total wall signage on all walls on any qualifying structure may not exceed 1,200 square feet.
- [i] For large parcels: one (1) additional ground sign is permitted for each six hundred (600) feet of road frontage measured at the right-of-way line over and above six hundred (600) feet. Multiple signs shall be spaced at least two hundred (200) feet apart.
- [j] For corner lots: The maximum area of all ground signs shall not exceed the maximum sign area listed in Table 8.2, except where a parcel has frontage on more than one street, an additional ground sign may be permitted facing the secondary frontage provided it does not exceed one half (1/2) the maximum square footage of the primary ground sign square foot listed in Table 8.2.

- [k] Industrial, Office and Commercial Parks: The ground sign shall not exceed 100 sq. ft. in area. Industrial, Office and Commercial Park identification/directory ground signs that list the names of all of the businesses within the park are permitted at the main entrance. In no case, shall this ground sign be located within the public right of way.
- [l] One additional sign is permitted in the RC, IA, IB, LCMR district if the sign is an entranceway identification sign to a commercial or industrial development, is of monument style and does not exceed eight (8') feet in height or twenty-four (24) square feet. Ground signs are permitted only if the building is set back a minimum of two (2) feet from the property line.
- [m] Only monument ground signs are permitted. Pole mounted ground signs are not permitted due to sign height and underclearance restrictions listed in Table 8.2.
- [n] Ground signs in the D-O and DNO districts shall only be permitted in the side yard setback a distance equal to the building and shall not be permitted between the building and the front lot line.

Section 8.06 -- RESIDENTIAL AND AGRICULTURAL DISTRICT SIGNS

The following signs shall be permitted in all districts zoned for residential use:

Table 8.3: GENERALIZED SCHEDULE OF SIGN STANDARDS FOR RESIDENTIAL USES

Type of Sign	Number	Setback	Notes
Nameplate	1	NA	2 sq. ft. maximum area
Street Address		none	Shall comply with Section 304.3 of the International Property Maintenance Code
Places of Worship	1[a] [b]	15	
Real Estate	1[b]	15	12 sq. ft. maximum area
Garage Sale	--	none	6 sq. ft. maximum area
Residential Entranceway	1[c]	15	See Subsection 8.07.D
Home Occupation	1	15	2 sq. ft. maximum area
Non-residential Uses			Shall comply with Table 8.2

Footnotes:

- [a] One (1) additional sign shall be permitted for each school, parsonage, or other related facility.
- [b] On a corner parcel, or double fronting two (2) signs, one facing each street, shall be permitted.
- [c] One (1) sign is permitted at each entrance to a subdivision, apartment complex or residential development.

A. Nameplate and Street Address

A nameplate sign shall be permitted in accordance with Section 8.04A. The sign may not project within five (5) feet of any property line. All street addresses shall comply with Section 304.3 of the International Property Maintenance Code.

B. Real Estate Signs

Real estate signs shall be permitted in accordance with Section 8.04C.

C. Garage Sale Signs

Garage sale signs shall be permitted in accordance with Section 8.04C.

D. Residential Entranceway Signs

One (1) residential entranceway or identification sign, either a wall or ground sign, shall be permitted at each entrance to a sub-division, apartment complex or other residential development in accordance with the following regulations:

1. Area

The maximum area for such sign shall be twenty-five (25) square feet.

2. Height

The maximum height for such sign shall be six (6) feet.

E. Signs for Nonresidential Uses

Each nonresidential use in a residential district shall be permitted one wall or ground sign, provided that the type, height, area, and number of signs shall comply with Table 8.2

Section 8.07 -- NONRESIDENTIAL DISTRICT SIGNS

The following signs shall be permitted in districts zoned for nonresidential use (Community - COM, Office Service - OS, Neighborhood Commercial - NC, Community Commercial - CC, Regional Commercial - RC, Downtown - D, Downtown Northside Overlay - DNO, Circle - C, LCMR, Industrial A - IA, and Industrial B - IB Zoning Districts):

A. Nameplate and Street Address

A nameplate and street address shall be permitted in accordance with Section 8.04.A. The street address shall comply with Section 304.3 of the International Property Maintenance Code.

B. Real Estate Signs

Real estate signs shall be permitted in accordance with Section 8.04C.

C. Projecting and Roof and Wall Signs

Projecting, roof and wall signs shall be permitted in non-residential districts as authorized by Table 8.2.

1. Murals

Murals, displaying a commercial message, may be permitted in all non-residential districts provided they adhere to the maximum wall sign area requirements listed in Table 8.2.

D. Ground Signs

Ground signs shall be permitted in the community district, commercial districts, industrial districts, and office districts subject to the provisions of Section 8.05 and the following regulations:

1. Building Setback

Ground signs shall be permitted only if the buildings are set back at least two (2) feet from the property line.

2. Number

One (1) ground sign shall be permitted per street frontage on each parcel. However, only one sign shall be permitted on lots having frontage on more than one street if a single sign can be located such that it is clearly visible from both streets. In multi-tenant buildings or shopping centers, the sign area may be allocated for use by individual tenants.

3. Sign Setbacks

All ground signs shall comply with the setback requirements in Table 8.4:

TABLE 8.4: GROUND SIGN SETBACKS

Zoning District	Setback from Property Line	Setback from Residentially Zoned or Used Property
Community	none	25 feet
AG, RA, RB, RD – Permitted Nonresidential Uses	5 feet	None
NC, C, D, OS, D-O and DNO	5 feet	25 feet
CC, RC	none	None
LCMR	none	50 feet
Industrial A and Industrial B	none	None

4. Pole Mounted Ground Signs

Pole mounted ground signs are permitted in the Community, Regional Commercial, Community Commercial, LCMR and Industrial districts. All pole mounted ground signs shall comply with the following regulations:

- a. Pole mounted ground signs shall have a minimum under clearance of height (8) feet.
- b. Pole mounted ground signs shall comply with the height and area regulations in Table 8.2.
- c. Pole mounted ground signs shall not be located within the clear vision corner nor shall they obstruct vehicular or pedestrian sight lines.

5. Monument Ground Signs

Monument ground signs are permitted in all districts. Monument Ground Signs shall comply with the following regulations:

- a. Monument ground signs may not be located in the clear vision triangle or otherwise obstruct lines of sight for vehicular or pedestrian traffic.
- b. A landscaped area including planting beds and/or shrubs shall be provided and maintained around the monument ground sign.

E. Awnings and Canopies

Signs on awnings and canopies in commercial, office-service, community and industrial districts shall be permitted, subject to the following standards:

1. Compliance with Size Requirements for Wall Signs

The area of signs on awnings or canopies shall be counted in determining compliance with the standards for total area of wall signs permitted on the parcel.

2. Projection

Limitations imposed by this Ordinance concerning projection of signs from the face of a wall or building shall not apply to awning and canopy signs, provided that such signs shall comply with the permitted projections into yards for awnings and canopies in Table 3.2.

F. Undercanopy Signs

One (1) undercanopy sign shall be permitted for each business, subject to the following conditions:

1. Vertical Clearance

A minimum vertical clearance of eight (8) feet shall be provided between the bottom edge of the sign and the surface of the sidewalk.

2. Orientation

Undercanopy signs shall be designed to serve pedestrians rather than vehicular traffic.

3. Size

Undercanopy signs shall not exceed two (2) square feet in area.

G. Types of Signs Allowed in Non-Residential Districts

The following types of signs are allowed in the non-residential districts, provided that they comply with all provisions of this Article:

1. Add-on sign.
2. Animated sign, including scrolling screens or scenes, provided the movement or change of lighting changes in intervals of six (6) seconds or more.
3. Bulletin board.
4. Changeable copy signs.

H. Signs in the Downtown and Circle Districts

The Downtown and Circle Districts are unique centers for the City of Midland. It is important to capture and preserve the unique character of the both areas in the types of signs permitted. Accordingly, the following additional standards shall apply to signs in the Downtown and Circle districts:

1. Location

Signs shall not cover architectural details such as arches, transom windows, moldings, columns, capitals, sills cornices and similar details.

2. Materials

Sign materials shall complement the original construction materials and architectural style of the building facade. Generally, wood or metal signs are considered more appropriate than plastic.

3. Illumination

It is preferred that Signs be illuminated using a direct but shielded light source, rather than internal illumination.

4. Projecting Signs

Projecting signs shall be permitted provided they are oriented towards pedestrian traffic, have a minimum under clearance of eight (8) feet, and have a maximum size of twelve (12) square feet.

5. Signs Allowed in the Downtown and Circle Districts Only

The following signs are allowed in the Downtown and Circle districts:

- a. Sandwich board signs with a maximum sign area of 16 square feet. Sandwich board signs shall not obstruct pedestrian access and shall not be permanently affixed to the sidewalks or any structure within the public right of way.

I. Outline Tubing (Neon) Signs

Outline tubing signs, also known as neon signs, are permitted in commercial districts subject to the following conditions:

1. Construction

Such signs shall be enclosed unless the applicant provides sufficient documentation that unenclosed signs satisfy requirements in the adopted Building Code.




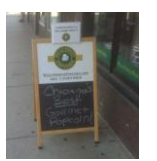


2. Maximum Size

Such signs shall be considered wall signs for the purposes of determining compliance with maximum size standards.

Section 8.08 – DOWNTOWN NORTHSIDE OVERLAY (DNO) DISTRICT SIGNS

A. The following signs are permitted on a per tenant on the ground floor with street frontage or per public entrance basis:

TABLE 8.5




Type of Sign	Number	Max. Size	Location	Other	Example
Name plate/ Plaque	1 per street frontage	8 s.f.	Any wall		
Street Address	1 per street frontage	Letters up to 8" high	Any wall 6'-10' above sidewalk grade	Non cursive lettering	
Blade/Shingle	1 per street frontage	6 s.f. 9' clearance above sidewalk	Ground floor	May not be internally illuminated	
Sandwich	1 per street frontage	64"h x 28"w Display area of 48"h x 28"w	Sidewalk, not blocking traveled portion Displayed only when business is open	Must be two sided Securely hinged ¹ No changeable copy ²	
Window	2 per tenant	6 s.f. of total signage	Ground floor or second story	May not be painted	
Directional	Per section 8.04 A. 11.				

¹ Securely hinged means hinged at the top and properly stabilized with 36" of chain between faces or the equivalent and a weighting mechanism that is properly screened.

² Changeable copy using individually placed letters is prohibited on all signs including sandwich board signs. Chalk board are permitted.



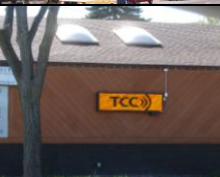


- B.** In addition to the signs permitted in item A. of this section, an awning or canopy and any one signs per building façade area is permitted according to the following schedule:

TABLE 8.6

Type of Sign	Number	Max. Size	Location	Other	Example
Wall, Band	1 wall band Up to 3 signs within wall band	2' H x 20' W and 80% of building lineal frontage Letters up to 24" high, 3" depth	May not be within 2' of an adjacent common lot line or boundary of the area permitted to be used by the tenant		
Wall, Other	1 wall sign	Not to exceed 5% of square footage of the building facade or 80 s.f.	Above the second story		
Awning/Canopy			Min. 8' clearance above sidewalk	Quarter cylinder style is prohibited	
Marquee	1 per corner of a building located at the intersection of two public streets and 1 per 250' of building street frontage.	Not to exceed 70 s.f. Max height = 50% of structure	Min. 10' clearance above sidewalk	Signs may be placed on both sides of marquee.	

C. The following signs are prohibited:

TABLE 8.7

Type of Sign	Other	Example
Freestanding signs		
Painted window signs	Temporary	
Painted on exterior of buildings	Excludes murals	
Any sign feature that has flashing, traveling, animated, or intermittent light associated with it.		
Portable, wheeled or otherwise moveable advertising devices	Excluding sandwich signs	
Roof	Signs or displays of any kind	
Awning	Quarter cylinder style	
Sandwich	Moveable letters	